

House Amendment to
Senate File 2318

S-5187

1 Amend Senate File 2318, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. Section 256.7, Code 2014, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 33. Adopt rules incorporating the
8 training required by section 272.2, subsection 19, into
9 the standards for school district or attendance center
10 teacher professional development plans in accordance
11 with section 284.6 and school district or attendance
12 center administrator professional development plans in
13 accordance with section 284A.6.
14 Sec. 2. Section 272.2, Code 2014, is amended by
15 adding the following new subsection:
16 NEW SUBSECTION. 19. *a.* Adopt rules requiring
17 all teachers who have regular and substantial contact
18 with students to complete training on harassment and
19 bullying prevention and response as part of their
20 professional development and training plans, to the
21 extent such training is made available by the state
22 of Iowa at no charge to trainees, schools, or school
23 districts.
24 *b.* Adopt rules requiring all individuals applying
25 for or renewing a license, certificate, authorization,
26 or statement of recognition issued by the board who
27 are responsible for conducting investigations of
28 complaints of incidents of harassment or bullying to
29 complete training on the provisions of section 280.28;
30 conducting impartial investigations with transparency;
31 collecting evidence; following up on previous
32 investigations; and reporting founded and unfounded
33 incidents of harassment and bullying to the department;
34 to the extent such training is made available by the
35 state of Iowa at no charge to trainees, schools, or
36 school districts.
37 *c.* Adopt rules requiring all individuals applying
38 for or renewing an administrator license to complete
39 training on implementation of school-wide policies and
40 procedures for harassment and bullying identification,
41 reporting, response, and prevention, to the extent such
42 training is made available by the state of Iowa at no
43 charge to trainees, schools, or school districts.
44 Sec. 3. Section 280.28, subsection 2, paragraph a,
45 Code 2014, is amended to read as follows:
46 *a.* "*Electronic*" means any communication involving
47 the transmission of information by wire, radio,
48 optical cable, electromagnetic, or other similar
49 means. "*Electronic*" includes but is not limited to
50 communication via electronic mail, internet-based

1 communications including social networking sites
2 and applications, pager service, cell phones, and
3 electronic text messaging, or any other electronic
4 communication site, device, or means.

5 Sec. 4. Section 280.28, subsection 5, Code 2014, is
6 amended to read as follows:

7 5. *Immunity.*

8 a. A school employee, volunteer, or student, or a
9 student's parent or guardian who promptly, reasonably,
10 and in good faith reports an incident of harassment
11 or bullying, in compliance with the procedures in
12 the policy adopted pursuant to this section, to the
13 appropriate school official designated by the school
14 district or accredited nonpublic school, shall be
15 immune from civil or criminal liability relating to
16 such report and to participation in any administrative
17 or judicial proceeding resulting from or relating to
18 the report.

19 b. A school district, school, or employee thereof
20 who reasonably and in good faith follows notification
21 procedures established as provided in subsection
22 9 shall be immune from civil or criminal liability
23 relating to such notification procedures and to
24 participation in any administrative or judicial
25 proceeding resulting from or relating to such
26 notification procedures.

27 Sec. 5. Section 280.28, Code 2014, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. 9. *Parental notification.*

30 a. Each school district and accredited nonpublic
31 school shall establish notification procedures for
32 incidents of harassment or bullying in accordance
33 with this subsection. The procedures shall include
34 notification of the custodial parent or guardian of any
35 student directly involved in any incident of harassment
36 or bullying, upon investigation and determination that
37 harassment or bullying has occurred, consistent with a
38 notification plan made in consultation with the student
39 and school guidance staff. The notification shall
40 include information on the action that school officials
41 have taken regarding the incident and the actions
42 school officials will take to prevent further acts
43 of harassment or bullying. If such notification is
44 delayed, the school district or school shall document
45 the reasons for the delay. This paragraph does not
46 prohibit a school official from contacting a parent
47 or guardian about a report of harassment or bullying
48 prior to a determination that harassment or bullying
49 has occurred.

50 b. The requirements of this subsection shall

1 not apply if a school official reasonably believes
2 notification would subject a student to abuse, neglect,
3 or other physical or mental harm.

4 c. Notification pursuant to this subsection
5 shall comply with state and federal privacy laws,
6 regulations, and rules.

7 Sec. 6. Section 282.18, subsection 11, Code 2014,
8 is amended to read as follows:

9 11. A pupil who participates in open enrollment
10 for purposes of attending a grade in grades nine
11 through twelve in a school district other than the
12 district of residence is ineligible to participate
13 in varsity interscholastic athletic contests and
14 athletic competitions during the pupil's first ninety
15 school days of enrollment in the district except that
16 the pupil may participate immediately in a varsity
17 interscholastic sport if the pupil is entering grade
18 nine for the first time and did not participate in
19 an interscholastic athletic competition for another
20 school or school district during the summer immediately
21 following eighth grade, if the district of residence
22 and the other school district jointly participate
23 in the sport, if the sport in which the pupil wishes
24 to participate is not offered in the district of
25 residence, if the pupil chooses to use open enrollment
26 to attend school in another school district because
27 the district in which the student previously attended
28 school was dissolved and merged with one or more
29 contiguous school districts under section 256.11,
30 subsection 12, if the pupil participates in open
31 enrollment because the pupil's district of residence
32 has entered into a whole grade sharing agreement
33 with another district for the pupil's grade, ~~or~~ if
34 the parent or guardian of the pupil participating
35 in open enrollment is an active member of the armed
36 forces and resides in permanent housing on government
37 property provided by a branch of the armed services,
38 or if the district of residence determines that the
39 pupil was previously subject to a founded incident of
40 harassment or bullying as defined in section 280.28
41 while attending school in the district of residence.
42 A pupil who has paid tuition and attended school, or
43 has attended school pursuant to a mutual agreement
44 between the two districts, in a district other than
45 the pupil's district of residence for at least one
46 school year is also eligible to participate immediately
47 in interscholastic athletic contests and athletic
48 competitions under this section, but only as a member
49 of a team from the district that pupil had attended.
50 For purposes of this subsection, "*school days of*

1 *enrollment* does not include enrollment in summer
2 school. For purposes of this subsection, *varsity*
3 means the same as defined in section 256.46.>

4 2. Title page, by striking lines 2 through 6 and
5 inserting <antibullying policies and providing for
6 training on harassment and bullying prevention and
7 response.>

8 3. By renumbering as necessary.